

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PAUL ERIC SHAY, JR.,  
  
Defendant.

CASE NO. CR21-0198-JCC  
  
ORDER

This matter comes before the Court on the Government's Rule 48(a) motion to dismiss the Information filed in this case without prejudice (Dkt. No. 34).

The Government requests that the Information be dismissed because, sadly, United States Probation and Pretrial Services has advised that Mr. Shay has passed away. (Dkt. No. 34 at 1.) The Government requests dismissal without prejudice in the unlikely event that this information turns out to be inaccurate. (*Id.*) Under Ninth Circuit law, the district court may deny an uncontested Rule 48(a) motion only if it is "clearly contrary to manifest public interest." *United States v. Gonzalez*, 58 F.3d 459, 461 (9th Cir.1995) (quoting *United states v. Weber*, 721 F.2d 266, 268 (9th Cir.1984)).

Having reviewed the motion and relevant record, and finding no basis to support denying the Government's motion, the Court hereby GRANTS it (Dkt. No. 34). This matter is DISMISSED without prejudice. The Clerk of the Court is DIRECTED to close this case.

1 DATED this 5th day of July 2022.

2  
3  
4 

5 John C. Coughenour  
6 UNITED STATES DISTRICT JUDGE  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26